

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 16, 2001

D036180 People v. Garcia

Judgment affirmed. McIntyre, J.; We Concur: Kremer, P.J., Nares, J.

D038033 Littlejohn v. Superior Court of San Diego County/People

The petition is denied.

D037908 Knight v. Superior Court of San Diego County/Brady/Sterling Enterprise et al.

The petition is denied.

D037161 Morson et al. v. Superior Court of San Diego County/Medline

The opinion filed June 15, 2001, is ordered certified for publication.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 17, 2001

D036209 People v. Love

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D037000 Foresight Capital Management, Inc., et al. v. White

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Nares, J.

**D037151 Pacific Millennium Trading Corporation v. Colliers Iliff Thorn, a Corporation,
et al.**

D037741 Pacific Millennium Trading Corporation v. Colliers Iliff Thorn et al.

The motion to consolidate the above-numbered appeals is granted. All future filings will be under D037151.

D038228 In re Ojeda on Habeas Corpus

The petition is denied.

D038097 In re Van Eaton on Habeas Corpus

The petition is denied.

D035348 People v. Keagy

Affirmed. Haller, Acting P.J.; I Concur: O'Rourke, J.;
I Concur and Dissent (by opinion): McDonald, J.

D037168 In re Julia H. et al., Juveniles

The jurisdictional and dispositional orders are reversed. Huffman, J.; We Concur: Benke, Acting P.J., Haller, J.

D037287 In re Carla S. et al., Juveniles

The orders are affirmed. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

**D036796 Birmingham Fire Insurance Company of Pennsylvania et al. v. Home Marketing
Services et al.**

The judgment is reversed. The superior court is directed to vacate and set aside the judgment and dismiss the action with prejudice. The remittitur is to issue immediately. The parties shall bear their own costs on appeal. Huffman, Acting P.J.; We Concur: Nares, J., Haller, J.

D033915 Haskett v. The Villas At Desert Falls et al.

The May 26, 1999 order granting Haskett's amended petition is affirmed. Haskett's "protective" appeal from the December 3, 1998 order is moot. Haskett's motion for sanctions is denied. Haskett shall recover his costs on appeal from Desert Falls Group and Binger and Rematch. CERTIFIED FOR PUBLICATION. Nares, J.; We Concur: Benke, Acting P.J., Huffman, J.

D037331 In re Thomas H., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 17, 2001 (Continued)

D037692 Jennifer G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Kremer, P.J.; I Concur: Huffman, J.; I Dissent: McIntyre, J. (opinion)

D037483 People v. Campbell

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D035775 People v. Lester

The judgment is modified to delete the sentences on the dismissed forgery counts (counts 2,4,6,8,10,12,14,16 & 18) and to reflect unstayed concurrent eight-month sentences (one-third the middle term) on the making false entries counts (counts 3,5,7,9,11,13,15,17 & 19). The trial court is directed to amend the abstract of judgment accordingly and to forward the amended abstract to the Department of Corrections. As so modified, the judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., Nares, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 18, 2001

D038126 In re Tolliver on Habeas Corpus

The petition is denied as duplicative.

D037244 People v. Schrock

Appeal dismissed. McDonald, J.; We Concur: Kremer, P.J., Huffman, J.

D038096 In re Long on Habeas Corpus

The petition is denied.

D037840 In re Shane on Habeas Corpus

The petition is denied.

D038081 Sears, Roebuck and Co. v. Superior Court of Imperial County/Powell

The petition is denied.

D038162 People v. Superior Court of Imperial County/Manuel G.

The petition is denied.

D038125 In re Johnson on Habeas Corpus

The petition is denied.

D037825 The TJX Companies v. Superior Court of San Diego County/Villavicencio

The petition is denied.

D037705 C B Richard Ellis, Inc. v. Superior Court of San Diego County/Harris et al.

The petition is denied.

D035239 San Diego Housing Commission et al. v. Industrial Indemnity Company

Submission in this cause is vacated. By separate letter this date, the court has requested supplemental briefing from the parties. Counsel will be notified of the new date of submission. No further oral argument will be permitted.

D036302 Silva v. Department of Motor Vehicles

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D038167 In re Wilson on Habeas Corpus

The petition is denied.

D036265 People v. Baronian

The judgment is affirmed. The conviction of petty theft is stricken. The trial court shall amend the abstract of judgment to reflect the modification and advise the Department of Corrections of the amendment. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 18, 2001 (Continued)

D036685 People v. Wilson

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D035765 Interbank Funding Group v. Rockwell Financial Group et al.

The judgment is reversed and the matter is remanded for a new trial. Interbank is to recover its costs of appeal. McIntyre, J.; I Concur: Kremer, P.J. I Concur (by opinion): Haller, J.

D037791 Salzberg v. City of San Diego

The appeal filed March 28, 2001 is dismissed for appellant's failure to timely designate the record.

D035747 People v. Goodman

The judgment is affirmed. Benke, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D034777 People v. Northcutt

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., Nares, J.

D035778 Klamt, Individually and as Trustee, etc. v. Fefer

The judgment is affirmed. Haller, J.; We Concur: Kremer, P.J., McIntyre, J.

D037268 People v. Lorance

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 19, 2001

D035686 People v. Luken

D037295 In re Luken on Habeas Corpus

The petition for writ of habeas corpus, In re Luken, D037295, is consolidated with the appeal People v. Luken, D035686, for disposition.

D035686 People v. Luken

D037295 In re Luken on Habeas Corpus

Judgment affirmed. Petition denied. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D035795 People v. Dyer

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D037949 In re Andres S., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D038208 In re Tagaloni on Habeas Corpus

The petition is denied.

D037847 Cincotta v. Superior Court of San Diego County/Dawson et al.

The petition is denied.

D038254 Wensel v. Superior Court of San Diego County/People

The petition is denied.

D037211 In re Phillips on Habeas Corpus

The petition is denied.

D035871 Kirk v. Chuey's Numero Uno, Inc., et al.

The judgments are affirmed. Benke, Acting P.J.; We Concur: Huffman, J., McIntyre, J.

D035197 People v. Mays

The judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., Huffman, J.

D038032 San Diego Unified School District v. Workers' Compensation Appeals Board and Joseph W. Elmore

The petition is denied.

D038205 In re Cameron on Habeas Corpus

The petition is denied.

D038095 In re Hopson on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 19, 2001 (continued)

D036753 The People v. Nobel Insurance Company et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

July 20, 2001

D037644 Brady Sand and Material, Inc. v. West Coast General Corporation

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

D037279 Stewart v. State Farm Fire and Casualty Company

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Nares, J.

D035789 People v. Williams

The judgment is affirmed. Kremer, P.J.; We Concur: Haller, J., McIntyre, J.

D035895 Mitchell Management Co. v. Community Convalescent Hospital of La Mesa

The judgment is affirmed. Community is awarded costs on appeal. Kremer, P.J.; We Concur: Haller, J., McIntyre, J.

D038363 Hodges v. Superior Court of San Diego County/Reed

The petition is denied.

D038260 In re Chaidez on Habeas Corpus

The petition is denied.

D038263 Chaidez v. Superior Court of San Diego County/People

The petition is denied.